

Notice of Allowability

Application No.

10/849,986

Applicant(s)

RAMNAUTH ET AL.

Examiner

Michael W. Talbot

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 27 October 2007.
2. ☒ The allowed claim(s) is/are 1,2,4-11,13,14,16,17,19,21 and 23-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received:
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Monica S. Carter
MONICA CARTER
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Allen M. Krass on Monday, 5 November 2007.

The application has been amended as follows:

Claims:

- (1) Claims 28-38 are cancelled in their entirety.
- (2) The claim dependency for claim 16 has been changed from "An apparatus according to claim 15" to --An apparatus according to claim 13--.

Allowable Subject Matter

- 2. The following is a statement of reasons for the indication of allowable subject matter:
Claims 1,2,4-11,13,14,16,17,19,21,and 23-27 are allowed.
Claims 1,5,11,13,19 and 21 are the independent claims.
- 3. Regarding claim 1, the prior art of record fails to anticipate or make obvious a machine for carrying out machining operations on two rectangular frameworks arranged one above the other comprising (1) "two framework guide supporting devices, each including an elongate horizontal support frame mounted on the base frame", (2) "two horizontally extending guide arrangements mounted one above the other on each horizontal support frame, said guide arrangements being adapted to guide and support respectively said two rectangular frameworks for intermittent horizontal movement relative to said machine in the lengthwise direction", and (3) a tool supporting mechanism including "a horizontal support beam mounted for sliding

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movement on said base frame in the widthwise direction of said base frame", solely or in combination, with a machine for carrying out machining operations on two rectangular frameworks arranged one above the other having a machine base, a tool supporting mechanism, at least one power tool, and a transport mechanism.

Kneip '838 is the closest art of record.

Kneip '838 shows in Figures 1-4 a machine comprising a machine base frame (1), one framework guide supporting device (2,9,10) mounted on base frame, two horizontally extending guide arrangements (28,34) mounted one above the other and adapted to guide and support respectively two of said rectangular frameworks for intermittent horizontal movement, a tool supporting mechanism (3,4,5,6,7,31), at least one power tool (11,12,44), a transportation mechanism capable of moving the at least one power tool horizontally in said lengthwise direction of the base frame and vertically relative to the base frame (col. 2, lines 30-34), wherein the power tools can carry out one or more machining operations. Kneip '838 shows the tool supporting mechanism including a horizontal support beam (31) mounted for horizontal movement on said base frame in the widthwise direction.

Kneip '838 lacks a machine for carrying out machining operations on two rectangular frameworks arranged one above the other comprising (1) "two framework guide supporting devices, each including an elongate horizontal support frame mounted on the base frame", (2) "two horizontally extending guide arrangements mounted one above the other on each horizontal support frame, said guide arrangements being adapted to guide and support respectively said two rectangular frameworks for intermittent horizontal movement relative to said machine in the lengthwise direction", and (3) a tool supporting mechanism including "a horizontal support beam mounted for sliding movement on said base frame in the widthwise direction of said base frame".

Although it is well known to have a machine for carrying out machining operations on two rectangular frameworks arranged one above the other, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings of Kneip '838, noting that in Kneip '838, only one framework guide supporting devices (2,9,10) including an elongate horizontal support frame is present, the two horizontal extending guide arrangements (28,34) are not mounted on each horizontal support frame one above the other since there is only one framework guide supporting device, thus only one horizontal support frame, and the tool supporting mechanism (3,4,5,6,7,31) is not mounted for sliding movement on the base frame in the widthwise direction. Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claim 1.

4. Regarding claim 5, the prior art of record fails to anticipate or make obvious a machine for carrying out machining operations on two rectangular frameworks arranged one above the other comprising (1) "the at least one power tool is a drill unit assembly including a drill bit holder and a motor for rotating a drill bit mounted in said drill bit holder, and wherein a carriage unit includes a support arm having said drill unit assembly mounted thereon and pivotable about a horizontal axis two framework guide supporting devices, each including an elongate horizontal support frame mounted on the base frame", solely or in combination, with a machine for carrying out machining operations on two rectangular frameworks arranged one above the other having a machine base, at least one framework guide supporting device, two horizontally extending guide arrangements, a tool supporting mechanism, at least one power tool, a tool supporting carriage, and a transport mechanism.

Kneip '838 is the closest art of record.

Kneip '838 shows in Figures 1-4 a machine comprising a machine base frame (1), at least one framework guide supporting device (2;9,10) support on base frame, two horizontally extending guide arrangements (28,34) mounted one above the other and adapted to guide and support respectively two of said rectangular frameworks for intermittent horizontal movement, a tool supporting mechanism (3,4,5,6,7,31), at least one power tool (11,12,44), a transportation mechanism capable of moving the at least one power tool horizontally in said lengthwise direction of the base frame and vertically relative to the base frame (col. 2, lines 30-34), wherein the power tools can carry out one or more machining operations. Kneip '838 shows the tool supporting mechanism including a horizontal support beam (31) mounted for horizontal movement on said base frame in the widthwise direction. Kneip '838 shows the transporting mechanism including a vertical support plate (Fig. 1) for horizontal movement on support beam (via arrows at 17,19) and a support carriage (Fig. 4) for vertical movement on the vertical support plate (via down arrows at 11,12). Kneip '838 shows two clamping arm assemblies (40,45) adapted to clamp said two frameworks and to firmly and temporarily hold a respective one of said two frameworks arranged along each pair of the rails.

Kneip '838 lacks a machine for carrying out machining operations on two rectangular frameworks arranged one above the other comprising (1) "the at least one power tool is a drill unit assembly including a drill bit holder and a motor for rotating a drill bit mounted in said drill bit holder, and wherein a carriage unit includes a support arm having said drill unit assembly mounted thereon and pivotable about a horizontal axis two framework guide supporting devices, each including an elongate horizontal support frame mounted on the base frame".

Although it is well known to have a machine for carrying out machining operations on two rectangular frameworks arranged one above the other, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having

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ordinary skill in the art to so modify the teachings of Kneip '838, noting that in Kneip '838, the at least one power tool drilling assembly (11,12,44) mounted on a carriage unit is not further mounted on a support arm for pivotable movement about a horizontal axis. Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claim 5.

5. Regarding claim 11, the prior art of record fails to anticipate or make obvious an apparatus for carrying out machining operations comprising (1) "said third drive motor unit including a servomotor mounted in said support post, a first bevel gear rotatable by said servomotor, and another bevel gear mounted on a horizontal shaft and driven by said first bevel gear, said support arm being fixedly connected to said horizontal shaft which extends along said transverse axis and is rotatably supported on top of said post", solely or in combination, with a apparatus for carrying out machining operations having a tool carriage mechanism mounted on a support member via a vertical main mounting plate member mounted on a base unit and moveable via a first drive motor, a drive motor mechanism including a fourth motor for moving the base unit on the vertical main mounting plate, a power tool rotatable via a second motor, a pivotable support arm mounted on a second end of the support post and the power tool mounting on a section of the support arm spaced away from the support post, and a third drive motor capable of pivoting the support arm and the attached power tool.

Sarh '947 is the closest art of record.

Sarh '947 shows in Figures 1-9 an apparatus for carrying out machining operations on a work piece (11) comprising a tool carriage mechanism (12,13) adapted for mounting on a support member (10) and moveable (via 14,15,16) with respect to said support member, wherein said tool carriage mechanism includes a base unit (20) mounted on the support member. Sarh '947 shows a support post (12,13) having one end (at 20) rotatably mounted (col.

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6, lines 36-41) on said base unit, a first drive motor unit (col. 6, lines 36-41) capable of rotating the support post, a vertical main mounting plate (19) on which said base unit is moveably mounted (via 14,15,16) and a drive motor mechanism (col. 4, lines 40-56) adapted for moving said base unit on said main mounting plate. Sarh '947 shows a power tool (31) including a second drive motor (inherent within) to rotatably drive a tool, a support arm (23) pivotable about a transverse axis (Fig. 9) and being mounted on a second end of said support post opposite said one end and the power tool being mounted on a section of the support arm spaced away from the support post (Fig. 1). Sarh '947 shows a third drive motor (col. 6, lines 36-41) capable of pivoting the support arm and the attached power tool to change the operating orientation of the power tool during use, wherein said drive motor mechanism includes a fourth motor mounted on the base unit (28,29 and col. 6, lines 36-41).

Sarh '947 lacks an apparatus for carrying out machining operations comprising (1) "said third drive motor unit including a servomotor mounted in said support post, a first bevel gear rotatable by said servomotor, and another bevel gear mounted on a horizontal shaft and driven by said first bevel gear, said support arm being fixedly connected to said horizontal shaft which extends along said transverse axis and is rotatably supported on top of said post".

Although it is well known to have an apparatus for carrying out machining operations including multiple drive motors, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings of Sarh '947, noting that in Sarh '947, the third drive motor is not specified as a servomotor with a bevel gear construction "mounted in said support post" and the support arm is not rotatably supported on top of said support post. Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claim 11.

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6. Regarding claim 13, the prior art of record fails to anticipate or make obvious an apparatus for carrying out machining operations on rectangular frameworks comprising (1) "said base unit including a gear housing having a longitudinal central axis, which extends, horizontally, and a vertical mounting plate attached to an end of said gear housing and fitted with ball slides for facilitating vertical movement of the gear housing and the mounting plate, said one end of said support post extending into said gear housing and said first drive motor unit being operatively" and (2) "said third drive motor unit being mounted substantially in an upper section of the hollow tube", solely or in combination, with a apparatus for carrying out machining operations on rectangular frameworks having a tool carriage mechanism moveable mounted on a support member via a base unit, a substantially hollow tube support post rotatably mounted on or in the base unit by a first drive motor about a central longitudinal axis of the support post, the first drive motor mounted substantially in a lower section of the hollow tube, a power tool rotatable via a second motor, a pivotable support arm mounted on a second end of the support post and the power tool mounting on a section of the support arm spaced away from the support post, and a third drive motor capable of pivoting the support arm and the attached power tool.

Sarh '947 is the closest art of record.

Sarh '947 shows in Figures 1-9 an apparatus for carrying out machining operations on a work piece (11) comprising a tool carriage mechanism (12,13) adapted for mounting on a support member (10) and moveable (via 14,15,16) with respect to said support member, wherein said tool carriage mechanism includes a base unit (20) mounted on the support member. Sarh '947 shows a support post (12,13) having one end (at 20) rotatably mounted (col. 6, lines 36-41) on said base unit, a first drive motor unit (col. 6, lines 36-41) capable of rotating the support post, a vertical main mounting plate (19) on which said base unit is moveably mounted (via 14,15,16) and a drive motor mechanism (col. 4, lines 40-56) adapted for moving

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said base unit on said main mounting plate. Sarh '947 shows a power tool (31) including a second drive motor (inherent within) to rotatably drive a tool, a support arm (23) pivotable about a transverse axis (Fig. 9) and being mounted on a second end of said support post opposite said one end and the power tool being mounted on a section of the support arm spaced away from the support post (Fig. 1). Sarh '947 shows a third drive motor (col. 6, lines 36-41) capable of pivoting the support arm and the attached power tool to change the operating orientation of the power tool during use, wherein said drive motor mechanism includes a fourth motor mounted on the base unit (28,29 and col. 6, lines 36-41). Sarh '947 shows the support post comprising a substantially hollow tube and the first drive motor unit is mounted substantially in a lower section of the hollow tube (col. 4, lines 40-56) and said third motor unit being substantially in an upper section of the hollow tube. Sarh '947 shows the power tool is a drilling unit including a drill bit holder (30) and the support arm pivotable through an angle of about 180 degrees (Figs. 6-9).

Sarh '947 lacks an apparatus for carrying out machining operations on rectangular frameworks comprising (1) "said base unit including a gear housing having a longitudinal central axis, which extends, horizontally, and a vertical mounting plate attached to an end of said gear housing and fitted with ball slides for facilitating vertical movement of the gear housing and the mounting plate, said one end of said support post extending into said gear housing and said first drive motor unit being operatively" and (2) "said third drive motor unit being mounted substantially in an upper section of the hollow tube".

Although it is well known to have an apparatus for carrying out machining operations including a gear housing and multiple drive motors, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings of Sarh '947, noting that in Sarh '947, the base unit does not

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include a gear housing assembled with a vertical mounting plate and ball slides for facilitating movement, the support post does not "extend into the gear housing", and the third drive motor is not "mounted substantially in an upper section of said hollow tube". Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claim 13.

7. Regarding claim 19, the prior art of record fails to anticipate or make obvious an apparatus for carrying out machining operations on plastic frameworks comprising (1) "said third support structure including a vertically extending main mounting plate on which said second support structure is vertically movable", and (2) "a further drive motor for moving said second support structure vertically on said main mounting plate via a further drive motor mounted on said second support structure", solely or in combination, with an apparatus for carrying out machining operations on plastic frameworks having a power tool including a first drive motor and a tool device, a lever member, a vertically extending first support structure, a horizontally extending second support structure, a third support structure, a second drive motor and a drive motor system.

Daugherty '393 is the closest art of record.

Daugherty '393 shows in Figures 1-2 an apparatus (50) for machining on plastic frameworks (W) comprising a power tool (69,70,72) including a first drive motor (70) and a tool device (72), a lever member (68) pivotable (col. 3, lines 52-56) about a first horizontal pivot axis and supporting the power tool at a location spaced from the pivot axis, a vertically extending first supporting structure (66) on which the lever member is mounted, a horizontally extending second support structure (64) on which the first support structure is mounted for rotation (col. 3, lines 38-45) about a substantially vertical axis of rotation, a third support structure (59,61) on which second support structure is movably mounted (col. 3, lines 29-34), a second drive motor

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(214) mounted on first support structure to pivot said lever member about said pivot axis (col. 7, lines 5-42), and a drive motor system (col. 5, line 66 through col. 6, line 17) mounted on one of the first and second support structures to rotate said first support structure about said axis of rotation. Daugherty '393 shows the tool device including a drill bit holder (chuck) and a drill bit (72), the lever member being a lever arm, and the horizontal pivot axis located at one end of the lever arm (left side of 68 about arcuate path 206). Daugherty '393 shows a support beam (94) adapted to extend horizontally wherein the third support structure is slidably mounted for movement along the beam in the lengthwise direction of the beam (col. 4, lines 38-43). Daugherty '393 shows a servomotor drive system (col. 4, lines 61-66) for moving the third support structure along the beam wherein the servomotor drive system includes a gear (116) rotatable for engagement with a rack (95) mounted on the beam (col. 4, line 61 through col. 5, line 8).

Daugherty '393 lacks an apparatus for carrying out machining operations on plastic frameworks comprising (1) "said third support structure including a vertically extending main mounting plate on which said second support structure is vertically movable", and (2) "a further drive motor for moving said second support structure vertically on said main mounting plate via a further drive motor mounted on said second support structure".

Although it is well known to have an apparatus for carrying out machining operations on plastic frameworks with numerous support structures and drive motors, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings of Daugherty '393, noting that in Daugherty '393, the third support structure (59,61) lacks a vertical main mounting plate on which said second support structure (64) is vertically movable and there is no further drive motor mounted on the second support structure (64) for moving the second support structure on said

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main mounting plate. Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claim 19.

8. Regarding claim 21, the prior art of record fails to anticipate or make obvious an apparatus for carrying out machining operations on plastic frameworks comprising (1) "said first support structure is a hollow, elongate post, and said lever arm is pivotably mounted at a top end of said post, and said second drive motor is mounted within said post and has an output shaft connected to a bevel pinion rotatable about a vertical axis, wherein said bevel pinion engages a bevel gear mounted on a shaft for rotation about said pivot axis and said lower lever arm being attached to said shaft", solely or in combination, with an apparatus for carrying out machining operations on plastic frameworks having a power tool including a first drive motor and a tool device including a rotatable drill bit holder and drill bit, a lever member, a vertically extending first support structure, a horizontally extending second support structure, a third support structure, a second drive motor and a drive motor system.

Daugherty '393 is the closest art of record.

Daugherty '393 shows in Figures 1-2 an apparatus (50) for machining on plastic frameworks (W) comprising a power tool (69,70,72) including a first drive motor (70) and a tool device (72), a lever member (68) pivotable (col. 3, lines 52-56) about a first horizontal pivot axis and supporting the power tool at a location spaced from the pivot axis, a vertically extending first supporting structure (66) on which the lever member is mounted, a horizontally extending second support structure (64) on which the first support structure is mounted for rotation (col. 3, lines 38-45) about a substantially vertical axis of rotation, a third support structure (59,61) on which second support structure is movably mounted (col. 3, lines 29-34), a second drive motor (214) mounted on first support structure to pivot said lever member about said pivot axis (col. 7, lines 5-42), and a drive motor system (col. 5, line 66 through col. 6, line 17) mounted on one of

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the first and second support structures to rotate said first support structure about said axis of rotation. Daugherty '393 shows the tool device including a drill bit holder (chuck) and a drill bit (72), the lever member being a lever arm, and the horizontal pivot axis located at one end of the lever arm (left side of 68 about arcuate path 206). Daugherty '393 shows a support beam (94) adapted to extend horizontally wherein the third support structure is slidably mounted for movement along the beam in the lengthwise direction of the beam (col. 4, lines 38-43). Daugherty '393 shows a servomotor drive system (col. 4, lines 61-66) for moving the third support structure along the beam wherein the servomotor drive system includes a gear (116) rotatable for engagement with a rack (95) mounted on the beam (col. 4, line 61 through col. 5, line 8).

Daugherty '393 lacks an apparatus for carrying out machining operations on plastic frameworks comprising (1) "said first support structure is a hollow, elongate post, and said lever arm is pivotably mounted at a top end of said post, and said second drive motor is mounted within said post and has an output shaft connected to a bevel pinion rotatable about a vertical axis, wherein said bevel pinion engages a bevel gear mounted on a shaft for rotation about said pivot axis and said lower lever arm being attached to said shaft".

Although it is well known to have an apparatus for carrying out machining operations on plastic frameworks with a hollow, elongate post and a pivotable lever arm with respective drive motors consisting of drive gears and shafts, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings of Daugherty '393, noting that in Daugherty '393, the second drive motor (214) is not mounted within the hollow, elongated post (66) and the lever arm (68) is not mounted at the top end of the post. Thus, for at least the foregoing reasons, the prior art of

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record neither anticipates nor rendered obvious the present invention as set forth in independent claim 21.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mrs. Monica S. Carter, may be reached at 571-272-4475.

In order to reduce pendency and avoid potential delays, group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 571-273-8300. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers, which require a fee, by applicants who authorize charges to a USPTO deposit account. Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

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would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MWT
Examiner
2 November 2007


MONICA CARTER
SUPERVISORY PATENT EXAMINER